

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: February 19, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Office of Industry Development and Market Analysis (Day, Deas, Fogleman,^{CH}
Mallow)
Office of the General Counsel (Farooqi, Stiller) *SPS*

RE: Docket No. 20250138-TP – Petition for designation as a facilities based wireless eligible telecommunications carrier (ETC) in the State of Florida, by LTE Wireless Inc.

AGENDA: 03/03/26 – Regular Agenda – Proposed Agency Action – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Clark

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

Case Background

On November 17, 2025, LTE Wireless Inc. (LTE Wireless) filed a petition with the Florida Public Service Commission (Commission or FPSC) seeking designation as a facilities-based wireless eligible telecommunications carrier (ETC). This designation is sought for the purpose of receiving federal low-income support to provide Lifeline services on a statewide basis. LTE Wireless is a South Dakota corporation, registered to do business in Florida as a foreign corporation, with principal offices in New York.

LTE Wireless represents itself as both a mobile virtual network operator (MVNO) and a facilities-based provider. The company contends it obtains wireless network access as an approved MVNO of T-Mobile, pursuant to a reseller agreement with Prepaid Wireless Group

(PWG), a Mobile Virtual Network Aggregator. PWG furnishes integrated communications solutions, including MVNO enablement, carrier access aggregation, and voice, text, and data services. LTE asserts it also provides retail broadband Internet access to end users utilizing T-Mobile's network. The Federal Communications Commission (FCC) defines MVNOs as providers that resell mobile wireless services purchased wholesale from facilities-based service providers.¹

LTE Wireless asserts that it qualifies as a facilities-based provider based on its ownership of two switches. LTE Wireless states that it provides commercial mobile radio service (CMRS) and prepaid wireless telecommunications services through a combination of resold services and its own facilities. LTE Wireless currently offers prepaid wireless service in Oregon, South Dakota, and New York, but does not yet provide service in Florida. LTE Wireless further represents that it was formerly a nationwide participant in the Affordable Connectivity Program (ACP).² LTE Wireless is independently owned, with Mr. Faizel Hassad serving as its CEO and Manager. As a CMRS provider, LTE Wireless is regulated as a common carrier pursuant to 47 U.S.C. § 153(11).³

LTE Wireless states that it was recently granted ETC designation in Missouri and Minnesota, and asserts that it has never been denied ETC designation. LTE Wireless also disclosed it withdrew its ETC petitions in Washington, Utah, Iowa, and New Mexico.⁴ Upon independent review, staff discovered that LTE Wireless had not disclosed that it also withdrew its ETC petition in New York on February 3, 2025. LTE Wireless submitted a letter to the New York Department of Public Service in connection with that withdrawal stating it would reapply once it had an FCC compliance plan.⁵ However, a year later, LTE Wireless had filed a separate application for ETC designation in New York without an FCC compliance plan, asserting that it is both a facilities-based CLEC and an MVNO.⁶

In a related docket, PWG — which provides integrated communications solutions for LTE Wireless — filed a petition for ETC designation in Florida.⁷ PWG claimed it satisfied the facilities-based requirements. However, despite repeated requests over a seven-month period, PWG failed to provide sufficient information regarding its facilities.⁸ Staff filed its

¹ FCC, 2024 Communications Marketplace Report, FCC 24-136, <https://docs.fcc.gov/public/attachments/FCC-24-136A1.pdf>, accessed February 12, 2026. ¶ 57.

² The ACP was a federal program that provided a discount of up to \$30 per month for broadband services for eligible consumers. Additionally, the program provided a one-time device discount of up to \$100 for a laptop, desktop computer, or tablet purchased through a participating provider. The ACP ended on June 1, 2024.

³ 47 U.S.C. § 153(11) (defining a common carrier as “any person engaged as a common carrier for hire, in interstate or foreign communications by wire or radio”); 47 U.S.C. § 332(c)(1)(A) (treating commercial mobile service providers as common carriers).

⁴ LTE Wireless responses, January 16, 2026, Document No. 00263-2026.

⁵ New York DPS, Docket 24-02323, Withdrawal Letter, Filed February 3, 2025, <https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=24-02323>, accessed February 12, 2026.

⁶ New York DPS, Docket No. 26-0230, LTE Wireless ETC Wireless Petition, filed February 2, 2026, <https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=26-00230>, accessed February 12, 2026.

⁷ Docket No. 20240088-TP, May 16, 2024.

⁸ 47 U.S.C. § 214(e) and 47 C.F.R. § 54.20. Carriers that do not meet the facilities-based requirements may submit a compliance plan to the FCC and seek forbearance from these requirements.

recommendation to deny PWG's petition on December 20, 2024, after which PWG withdrew the petition.⁹

Section 214(e)(2) of the Telecommunications Act of 1996 gives state public utility commissions the primary responsibility for designating ETCs. Section 364.10, F.S., allows the Commission to approve wireless Lifeline ETC petitions by requesting carriers. LTE Wireless acknowledges 47 C.F.R. § 54.201(i), which prohibits state commissions from designating carriers as Lifeline only ETCs that provide supported services exclusively through resale absent an FCC approved compliance plan.¹⁰ LTE Wireless asserts that it meets all requirements for designation as an ETC under 47 C.F.R. § 54.201. LTE Wireless further acknowledges and affirms that, if approved, it will comply with Section 364.105, Florida Statutes (F.S.), and Rule 25-4.0665, Florida Administrative Code (F.A.C.), which govern Lifeline service and provide for a transitional discount for customers who no longer qualify for Lifeline.

⁹ Docket No. 20240088-TP, Document No. 00093-2025.

¹⁰ LTE Wireless does not have a compliance plan approved by the FCC.

Discussion of Issues

Issue 1: Should LTE Wireless be granted an ETC designation to provide Lifeline service throughout the State of Florida?

Recommendation: No. LTE Wireless should not be granted an ETC designation to provide Lifeline service throughout the State of Florida. (Day, Deas, Mallow, Fogleman)

Staff Analysis:

Legal Standard

ETC designation is necessary for telecommunications companies to participate in the federal Lifeline program.¹¹ Section 364.10, F.S., allows the Commission to approve wireless Lifeline ETC petitions by requesting carriers. Specifically, Section 364.10(1)(a) and (3)(a), F.S., provide that the Commission has the authority to designate a commercial mobile radio service provider as an ETC for the limited purpose of providing Lifeline service. Federal rules outline the requirements for ETC designation.¹² To obtain ETC designation to provide Lifeline services, federal rules require that carriers:

- 1) Be a common carrier;
- 2) Offer the services that are supported by the federal universal support mechanisms either using its own facilities or a combination of its own facilities and resale of another carrier's services;
- 3) Advertise the availability of its Lifeline service through a media of general distribution;
- 4) Provide voice grade access to the public switch network or its functional equivalent;
- 5) Offer minutes of use for local service at no additional charge to end users;
- 6) Provide access to the emergency services available by local government or other public safety organizations;
- 7) Provide Broadband Internet Access Service;¹³
- 8) Demonstrate financial and technical capability to provide Lifeline service; and
- 9) Not charge Lifeline customers a monthly number-portability charge.

In addition, Florida law requires ETCs to:

- 1) Offer a discounted transitional basic telecommunications service;¹⁴ and

¹¹ 47 C.F.R. § 254(e).

¹² 47 U.S.C. § 214(e)(1), 47 C.F.R. § 54.101, 47 C.F.R. § 54.201, and 47 C.F.R. § 54.401.

¹³ Broadband Internet Access Service (BIAS) is defined as a mass-market retail service that provides the capability to transmit and receive data, but excluding dial-up service.

¹⁴ Section 364.105, F.S., states that each ETC shall offer a residential basic local telecommunications service at 70 percent of the residential local telecommunications service rate for any Lifeline subscriber who no longer qualifies for Lifeline for a period of 1 year after the date the subscriber ceases to qualify for Lifeline.

2) Participate in the Lifeline Promotion Process.¹⁵

The burden of proof with respect to these requirements rests with the applicant.¹⁶

Analysis

Public Interest Determinations

State commissions are required to determine that an ETC designation is in the public interest. In staff's questions to LTE Wireless, the company was asked whether it had ever been the subject of a public investigation, formal allegation, or finding of noncompliance by a state commission. LTE Wireless responded that it had never been the subject of any such action.

Upon review, staff identified that in Iowa Utilities Commission (IUC) Docket No. M-4633, the IUC documented that LTE Wireless failed to timely file required annual reports in 2021, 2024, and 2025. The IUC issued notices in 2024 and 2025 warning that continued noncompliance could result in civil penalties and the involuntary cancellation of LTE Wireless's telecommunications registration.¹⁷ LTE Wireless subsequently filed the required reports after receiving notice, thereby avoiding civil penalties and cancellation each time. In November 2025, in connection with LTE Wireless's petition for ETC designation in Iowa, the IUC cited this history and requested an explanation as to why its "past noncompliance should not weigh against the IUC's consideration in this matter." LTE Wireless did not respond before withdrawing its petition on January 8, 2026.¹⁸

Florida ETCs are expected to comply with annual data requests and investigations regarding customer complaints and to respond fully, accurately, and in a manner sufficient to permit effective regulatory review.¹⁹ It appears that LTE Wireless has a repeated history of noncompliance in Iowa and that it has failed to disclose key information in response to Florida staff inquiries. Accordingly, staff questions whether designating LTE Wireless as an ETC in Florida would be in the public interest.

Facilities Requirement

Federal rules require that a carrier designated as an ETC offer Lifeline services using either its own facilities or a combination of its own facilities and the resale of another carrier's services.²⁰

¹⁵ Rule 25-4.0665(3), F.A.C. The Lifeline Promotion Process is an electronic system developed in collaboration with the Florida Department of Children and Families, ETCs and the FPSC. This system helps assist ETCs and the FPSC in providing information on how to apply for Lifeline assistance to eligible customers.

¹⁶ See *Balino v. Dep't of Health & Rehab. Servs.*, 348 So. 2d 349, 350 (Fla.1st DCA 1977) ("the burden of proof, apart from statute, is on the party asserting the affirmative of an issue before an administrative tribunal").

¹⁷ IUC, Docket M-4633. This same document was also filed in FPSC Docket 20250137-TP (Document No. 01076-2026).

¹⁸ IUC, Docket ETA-2025-0004, Docketed September 10, 2024. This same document was also filed in FPSC Docket 20250137-TP (Document No. 01075-2026).

¹⁹ Staff notes that in its petition and data request response, LTE Wireless name did not match that with the Florida Department of State, it did not corrected the issue when prompted, nor include requested service area map.

²⁰ 47 C.F.R. § 54.201(d)(1).

State commissions may not designate a carrier that offers supported services exclusively through the resale of another carrier's facilities. As previously discussed, LTE Wireless represents itself as both an MVNO and a facilities-based provider. LTE Wireless states that it resells T-Mobile services through PWG. LTE Wireless further explained that PWG provides LTE Wireless with both its voice and data services. Based on LTE Wireless's explanation of the services it provides, LTE Wireless would rely exclusively on the services of other carriers to provide Lifeline. While LTE Wireless asserts that it has "two switch locations that will provide call routing for domestic USA calls," it does not make clear how these switches function or provide any value within the context of the underlying wholesale service provisioned by the T-Mobile. Therefore, staff believes that LTE Wireless does not meet the facilities requirement under federal rules.

Conclusion

Staff believes that LTE Wireless's history of noncompliance in another state demonstrates that designation in Florida would not serve the public interest. Furthermore, LTE Wireless has not proven that it satisfies the federal facilities requirement. Therefore, staff recommends that LTE Wireless's petition for ETC designation in Florida be denied.

Issue 2: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the Proposed Agency Action Order, this docket should be closed upon the issuance of a consummating order. (Farooqi)

Staff Analysis: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the Proposed Agency Action Order, this docket should be closed upon the issuance of a consummating order.